

**CITY COUNCIL
ATLANTA, GEORGIA**

02-0-1887

AN ORDINANCE

**BY: COUNCILMEMBERS JIM MADDOX AND C.T. MARTIN
AS SUBSTITUTED (#3) AND AMENDED BY:
FINANCE/EXECUTIVE COMMITTEE**

**AN ORDINANCE TO AMEND THE PENSION
ACTS APPLICABLE TO THE CITY OF
ATLANTA, SO AS TO PROVIDE FOR A
RETIREMENT PROGRAM FOR EMPLOYEES
SEPARATED TO BALANCE THE CITY OF
ATLANTA BUDGETS AND FOR
REORGANIZATION OF THE WORKFORCE;
AND FOR OTHER PURPOSES.**

WHEREAS, the City of Atlanta is in a fiscal crisis and will be reducing the
City's workforce to assist in balancing the 2002 and 2003 Budgets; and

WHEREAS, the City of Atlanta is reorganizing the City's workforce and
will be reducing the City's workforce in this process; and

WHEREAS, the City of Atlanta desires to minimize the impact of a
reduction in its workforce on long term older employees.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA,

HEREBY ORDAINS, as follows:

SECTION 1: That Georgia Laws 1927, p.265, as amended by Georgia
Laws 1978, p.4546, is hereby further amended by adding additional
subsections which shall provide as follows:

(a) Any officer or employee who is a member of the General
Employees Pension Fund, and is fully vested, and who is
involuntarily separated due to or in association with a Reduction
in-Force (RIF), or in conjunction with the City's reorganization and
downsizing of the City's workforce, budgetary needs, or other
purposes, but not due to disciplinary action between December 31, 2001 and
December 31, 2003, may elect to take a monthly pension

benefit upon retirement 'without any reduction for any age penalties as would otherwise be applicable.

- (b) Any officer or employee shall be paid thereafter a normal monthly pension benefit equal to two percent (2.0%) of such person's average monthly earnings (average of the monthly earnings of the highest three (3) consecutive years' salary) multiplied by the number of such person's years, or fraction thereof, of creditable service.
- (c) Any former officer or employee eligible to retire pursuant to this ordinance who has been involuntarily separated due to or in association with a RIF, but not due to disciplinary action between December 31, 2001 and December 31, 2003 in conjunction with the City's reorganization and downsizing of the City's workforce, budgetary needs, or other purposes, and has already filed for retirement, must make written application to the Pension Office within the two year reemployment rights period to receive the benefit allowed under this legislation.
- (d) **(i) This ordinance shall not apply to officers or employees who are rehired by the City of Atlanta or whose services are retained by the City pursuant to a contract; (ii) Nor shall this ordinance apply to officers or employees who reject or have rejected an offer of reemployment made by the City, to a position comparable to that from which the officer or employee was RIFFED or involuntarily separated in conjunction with the City's reorganization and downsizing of the City's workforce, budgetary needs or other purposes. For officers or employees who were RIFFED or so involuntarily separated prior to the enactment of this ordinance, said offer of reemployment must be made within six (6) months of the enactment hereof. For officers or employees who are RIFFED or so involuntarily separated subsequent to the enactment of this ordinance, said offer of reemployment must be made within six (6) months of the date of separation of any such officer or employee. For purposes of this subsection, a "comparable position" shall be defined as one for which the compensation is equal to or no less than 90% of the compensation earned by such officer or employee at the time of separation.**

SECTION 2: (a) That the Chief Financial Officer or designee be authorized to transfer expenses between various departments' personnel line

COMMITTEE AMENDMENT FORM

Committee FIN/EXEC Page Number(s) 1

Ordinance I.D.# 02-0-1887 Section(s) 1(d)

Resolution I.D.# _____ Paragraph _____

Date 3-1-03

Amendment: Delete 80% Whenever it
Appears and insert inlieu thereof
90%

RCS# 4643
4/21/03
4:26 PM

Atlanta City Council

Regular Session

02-O-1887 Amend pension acts to provide retirement
 program for employees to balance budget
 FILE

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	NV Martin	Y Norwood
NV Young	Y Shook	Y Maddox	Y Willis
Y Winslow	NV Muller	Y Boazman	B Woolard

02-O-1887

items to accommodate the inequity from the Early Retirement Program savings realized between departments.

(b) That the Chief Financial Officer or designee be required to transfer funds to the General Employees Pension Fund as needed to make compensation for the cost of monthly pension benefits due to the provisions of this Ordinance.

SECTION 3: That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

02-C-1887

(Do Not Write Above This Line)

AN ORDINANCE

BY:

AN ORDINANCE TO AMEND THE PENSION ACTS APPLICABLE TO THE CITY OF ATLANTA, SO AS TO PROVIDE FOR A RETIREMENT PROGRAM FOR EMPLOYEES SEPERATED TO BALANCE THE 2003 BUDGET; AND FOR OTHER PURPOSES.

FILED BY
CITY COUNCIL

APR 21 2003

SUBSTITUTE AS AMENDED

- ☐ CONSENT REFER
☐ REGULAR REPORT REFER
☐ ADVERTISE & REFER
☐ 1st ADOPT 2nd READ & REFER
☒ PERSONAL PAPER REFER

Date Referred 10/21/02

Referred To: Finance/Executive

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee _____
Date _____
Chair _____
Referred to _____

Committee
FIN/Exec

Date
10/30/02

Chair
James Miller

Action:
Fav, Adv, Hold (see rev. side)

Other:
AS Amended

Members

Refer To

Committee
FIN/Exec

Date
11-13-02

Chair
Substituted

Action:
Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

FINAL COUNCIL ACTION

- ☒ 1st and 2nd Readings
☐ 3rd Reading
☐ VOTE
☒ RC VOTE

CERTIFIED

FAVORABLE REPORT

CERTIFIED

APR 21 2003

COUNCIL PRESIDENT PROTEM

MAYOR'S ACTION

CERTIFIED

APR 21 2003

MUNICIPAL CLERK